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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/336,031	06/18/1999	KEVIN CURTIS	2698/36	7183

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KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER

COLBERT, ELLA

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/336,031

Applicant(s)

CURTIS ET AL.

Examiner

Ella Colbert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-15, 18-30, 33- 49 is/are pending in the application.
- 4a) Of the above claim(s) 1-4, 7-11, 37, 38, 41 and 42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-15, 18-30, 33-36, 39, 40 and 43-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20 September 2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-4, 7-15, 18-30, 33-37, and 39-49 are pending. Applicants' election without traverse of Group II, Claims 12-15, 18-30, 33-36, 39, 40, and 43-49 in the reply filed 09/20/04 is acknowledged. Claims 1-4, 7-11, 37, and 41-42 are withdrawn/canceled from examination. The RCE filed 03/18/04 prior to the Election/Restriction Requirement was entered.
2. The IDS filed 09/20/04 has been reviewed and entered.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 12-15, 18-30, 33-36, and 43-49 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. The method claims as presented do not claim a technological basis in the body of the claim. Without a claimed basis, the claim may be interpreted in an alternative as involving no more than a manipulation of an abstract idea and therefore non-statutory under 35 USC 101. In contrast, a method claim that includes in the body of the claim at least one structural/functional interrelationship which can only be computer implemented is considered to have a technological basis. Any method that has the steps performed by a machine (i.e. computer). [See Ex parte Bowman, 61 USPQ2d 1669, 1671 (Bd. Pat. App. & Inter. 2001) – used only for content and reasoning since not precedential].

Example: Claim 12 "A computerized method for the archival of symbolically linked information comprising the steps of:

receiving at the computer an information element and at least an input symbol;" or "receiving at an internet site an information element and at least an input symbol;" or receiving from the network an information element and at least an input symbol;".

Independent claims 25, and 43-49 have a similar problem.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 39 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over (US 6,055,538) Kessenich et al, hereafter Kessenich in view of (US 5,819,271) Mahoney et al, here after Mahoney.

With respect to claim 39, Kessenich teaches, a storage device (col. 5, line 54-col. 6, line 17 and fig. 1) storing a master symbol database and a document database (col. 9, line 56-col. 10, line 34), the master symbol database storing master symbols, wherein each master symbol is linked to a parent identifier (col. 4, lines 37-40) and the document database storing documents linked to a parent identifier; a network interface (col. 6, line 66-col. 7, line 5); a processor (col. 4, lines 62-65). Kessenich did not expressly disclose a processor. However, since there are interconnected computers (col. 4, lines 62-65) it would have been inherent to have a processor in the computers for the purpose of processing information.

Kessenich failed to teach, receives an input symbol via the network interface, normalizes the input symbol to obtain a normalized input symbol formatted according to

a predetermined structure, searches the symbol database using the normalized input symbol to find a matching master symbol and a linked parent identifier and retrieving documents from the document database that are linked to the parent identifier.

Mahoney teaches, receiving an input symbol via the network interface, normalizing the input symbol to obtain a normalized input symbol formatted according to a predetermined structure, searching the symbol database using the normalized input symbol to find a matching master symbol and a linked parent identifier, and retrieving documents from the document database that are linked to the parent identifier (col. 9, lines 22-24 and lines 44-58, col. 10, line 61-col. 11, line 10, fig. 2 –shows matching symbols). It would have been obvious to one having ordinary skill in the art at the time the invention was made to receive an input symbol via the network interface, normalize the input symbol to obtain a normalized input symbol formatted according to a predetermined structure, searches the symbol database using the normalized input symbol to find a matching master symbol and a linked parent identifier and retrieve documents from the document database that are linked to the parent identifier and to modify in Kessenich because such a modification would allow Kessenich to have a system with normalization of elements (symbols –col. 9, lines 46 and 47) which can include ticker symbols –col. 9, line 23.

With respect to claim 40, Kessenich failed to teach, wherein if the input symbol contains at least one unresolved segment for each unresolved symbol segment, the processor searches a client database to find a client preference segment, and assigns the client preference segment to the unresolved segment. Mahoney teaches, wherein if the input symbol contains at least one unresolved segment for each unresolved symbol segment, the processor searches a client database to find a client preference segment, and assigns the client preference segment to the unresolved segment (col. 4, lines 29-

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44, col. 8, lines 41-63, and col. 10, lines 53-60). It would have been obvious one having ordinary skill in the art at the time the invention was made to if the input symbol contains at least one unresolved segment for each unresolved symbol segment, the processor searches a client database to find a client preference segment, and assigns the client preference segment to the unresolved segment and to modify in Kessenich because such a modification would allow Kessenich to have a remote system where a workstation can provide information to another workstation (a client) to perform the steps of claim 40.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wilz, Sr. et al (US 5,992,752) disclosed bar code symbols, linked information, and archiving.


Inquiries

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


E. Colbert
December 18, 2004